

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION,
Tuesday, January 12, 1971.

CITY OF FORT WAYNE, INDIANA
Journal of the Proceedings
of the Common Council

The Common Council of the City of Fort Wayne met in the Council Chamber Tuesday
evening, January 12, A.D., 1971 in Regular Session. President
Phil A. Steigerwald in the chair, and Fuad G. Bonahoom Clerk, at the desk,
present the following members 8 viz:

Adams ✓ Dunifon ✓ Fay ✓ Geake ✓ Nuckols ✓ Robinson ✓
Rousseau Steigerwald ✓ Tipton ✓.

Absent 1 viz: Councilman Rousseau

The minutes of the last regular December 29, 1970, session having been delivered
to the Council, were, on Motion, approved as published.



City of Fort Wayne

COMMUNICATION FROM THE MAYOR

HAROLD S. ZEIS
Mayor

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Today, January 6, 1971, I have approved the following ordinances passed by the Common Council at its regular meeting on December 29, 1970:

(Bill No. A-70-12-01)
APPROPRIATION ORDINANCE NO. A-115-70

AN ORDINANCE appropriating and transferring funds within the 1970 Budget of the Board of Public Safety-Police Department.

(Bill No. A-70-12-02)
APPROPRIATION ORDINANCE NO. A-116-70

AN ORDINANCE appropriating and transferring funds within the 1970 Budget of the Board of Public Safety-Fire Department.

(Bill No. A-70-12-03)
APPROPRIATION ORDINANCE NO. A-117-70

AN ORDINANCE appropriating and transferring funds within the 1970 Budget of the Board of Public Works, Sewer Relief Fund.

(Bill No. S-70-12-04)
SPECIAL ORDINANCE NO. S-615-70

AN ORDINANCE approving a contract with FRENCH CONSTRUCTION, INC. for the construction of the Industrial Road Feeder Main, Contract No. 7009.

(Bill No. S-70-12-05)
SPECIAL ORDINANCE NO. S-616-70

AN ORDINANCE approving a contract with MICHIGAN TESTING ENGINEERING for soil testing for Terminal Pond No. 1.

(Bill No. S-70-12-06)
SPECIAL ORDINANCE NO. S-617-70

AN ORDINANCE approving a contract with THERMO-FLEX, INC. for erection of air structure over the Phosphate Pilot Plant.



(Bill No. S-70-12-07)
SPECIAL ORDINANCE NO. S-618-70

AN ORDINANCE approving a contract with SILKWORTH CONSTRUCTION CO., INC. for Gasoline Service Station at the Municipal Garage.

(Bill No. S-70-12-08)
SPECIAL ORDINANCE NO. S-619-70

AN ORDINANCE approving an Agreement with McNAMEE, PORTER AND SEELEY, for engineering service on the expansion of the Three Rivers Filtration Plant.

(Bill No. S-70-12-09)
SPECIAL ORDINANCE NO. S-620-70

AN ORDINANCE approving Sewer Extension Agreement with WAYNE DEVELOPMENT CORPORATION for the Faith Baptist Church-Trier Road Sanitary Sewer Extension.

(Bill No. S-70-12-10)
SPECIAL ORDINANCE NO. S-621-70

AN ORDINANCE approving a contract with JOHN DEHNER, INC. for Sewer Resolution No. 243-1970 in Elam E. Sprunger's Addition.

(Bill No. S-70-12-11)
SPECIAL ORDINANCE NO. S-622-70

AN ORDINANCE approving contracts with four Contractors in connection with the construction of the Inner City Storm Relief Sewers.

(Bill No. S-70-12-12)
SPECIAL ORDINANCE NO. S-623-70

AN ORDINANCE approving bid document Ref. No. 380 with ALLEN COUNTY MOTORS, INC. and INTERNATIONAL HARVESTER COMPANY for two trucks for the Board of Public Safety-Traffic Engineer.

(Bill No. S-70-12-13)
SPECIAL ORDINANCE NO. S-624-70

AN ORDINANCE approving bid document Ref. No. 381 with THE H. LIEBER CO. INC. for one Nord Color Photographic Processing Plant for the Police Department.

(Bill No. S-70-12-14)

SPECIAL ORDINANCE NO. S-625-70

AN ORDINANCE approving bid document Ref. No. 382 with C. A. GRIEGER, INC. for one 1971 Chevrolet Sedan for the City Engineering Department.

(Bill No. S-70-12-15)

SPECIAL ORDINANCE NO. S-626-70

AN ORDINANCE approving bid document Ref. No. 383 with AUDIO VISUAL SPECIALISTS CORP. for Sony Videocorder, Camera and Accessories for the Police Department.

(Bill No. S-70-12-16)

SPECIAL ORDINANCE NO. S-627-70

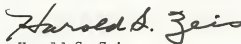
AN ORDINANCE approving bid document Ref. No. 384 with R. W. KAIN, INC. for one Steel Building for the Board of Public Safety-Fire Department.

(Bill No. R-70-12-19)

RESOLUTION NO. R-95-70

RESOLUTION CONFIRMING AND RATIFYING APPLICATION FOR GRANT TO ACQUIRE AND DEVELOP OPEN SPACE GRANT.

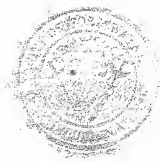
Respectfully submitted,



Harold S. Zeis
Mayor.

MADE A MATTER OF RECORD

DATE 1-12-71 RUAD G. BOWMAN, CITY CLERK



HAROLD S. ZEIS
Mayor

City of Fort Wayne

COMMUNICATION FROM THE MAYOR

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

I am submitting for introduction at your meeting tonight three ordinances which deal with the question of pornography.

Each of the ordinances attacks the question in a different manner and they represent the thinking of civic groups and the legal profession on different points of law.

The submission of three ordinances dealing with one subject is somewhat unusual. However, I hope that through the process of public hearings and technical advice, the City Council will be able to pass these measures in a form that will give Fort Wayne a reasonable and enforceable set of laws.

The City legal department has fully researched all aspects of the state and federal laws, and court decisions, and Associate City Attorney, Robert E. Meyers, has advised me that these ordinances all have been approved for introduction.

Very truly yours,

Harold S. Zeis
Mayor of Fort Wayne

HSZ/um

January 12, 1971.



MADE A MATTER OF RECORD

~~DATE~~ 1-12-71 READ BY TONIA MOON, CITY CLERK



City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

December 31, 1970

COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City Hall
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

Attached hereto is a resolution for the vacation of the plat of Springwood Addition, Section II, along with a recommendation of the City Plan Commission on an ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-70-10-30

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of December 1970.


Mary Ann Haynie
Secretary



MADE A MATTER OF RECORD
DATE 1-12-71 RUAD C. DONALDSON, CITY CLERK

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 27, 1970, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-70-10-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

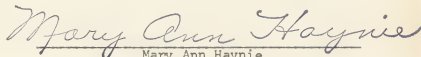
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 16, 1970;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held November 23, 1970.

Certified and signed this
31st day of December, 1970



Mary Ann Haynie
Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE FORT WAYNE CITY PLAN COMMISSION

IN THE MATTER OF THE VACATION OF)
)
THE PLAT OF SPRINGWOOD, SECTION II)

RESOLUTION AND APPROVAL

WHEREAS, the owner of the real estate contained within Springwood, Section II, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of said Plat, all in accordance with Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Burns Ind. Stat. Ann. Section 53-774, (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 28th day of September, 1970, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said Plat;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said Plat of Springwood, Section II conforms to the general policy and pattern of development set out in the master plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said Plat is hereby approved; and,

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of plats in the City of Fort Wayne, Allen County, Indiana.

FORT WAYNE BOARD OF WORKS

FORT WAYNE CITY PLAN COMMISSION

Arthur L. Richard
Mary Ann Haynie

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Arthur C. Richard, President of the Fort Wayne City Plan Commission, do hereby certify that attached hereto is a full, true and correct copy of a Resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held on the 28TH day of SEPTEMBER, 1970, and as the same appears in the official record of said Plan Commission.

DATED the 19TH day of OCTOBER, 1970.



Arthur C. Richard, President, Fort Wayne
City Plan Commission

This instrument prepared by George P. Mallers, attorney at law, Adair, Perry, Beers, McAlister and Mallers, members of the Allen County, Indiana Bar Association.

M O T I O N

At the regular meeting of the Common Council of the City of Fort Wayne held on January 12, 1971, Councilman Tipton moved that Councilman Nuckols be appointed as Council representative to the Three Rivers Coordinating Board for the coming year. The motion was seconded by Councilwoman Fay and was unanimously carried.

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said city and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday, the 12th day of January, 1971; that the numbered ordinances ~~and resolutions~~ shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance ~~and resolution~~ respectively; and that all such records, proceedings, ^{ordinances} ~~and resolutions~~ remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of January, 1971.

Fuad G. Bonahoom
City Clerk

SEAL



City of Fort Wayne

BOARD OF PUBLIC SAFETY

COMMUNICATION FROM BOARD OF PUBLIC SAFETY

January 7, 1971

President of the Common Council
City of Fort Wayne, Indiana

Dear Sir:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 1-71/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate same into the minutes of the next Common Council Meeting.

Respectfully submitted,

Melvin H. Heckman, Chairman
BOARD OF PUBLIC SAFETY

BY: G. W. Bormuth
George W. Bormuth, Exec. Sec'y.

mb



MADE A MATTER OF RECORD

DATE 1-12-71 RUAD G. BONARHOON, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 1-71 / E)

I hereby certify that I did this 7th day of January, 19 71 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 1-71 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

A handwritten signature in blue ink, appearing to read "G.W. Barnith", with a small "ms" or similar mark below the end of the signature.

EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO. 1-71/E

(Adopted January 6, 19 71)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to no parking 8:00 A.M. to 4:00 P.M. School Days, one way streets, no parking and a no parking deletion _____; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated January 6, 19 71, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective January 6,

1971, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. No Parking 8:00 A.M. to 4:00 P.M. School Days:

1. Pettit Avenue - south side - from Anthony Blvd. to Werling Dr.

B. One Way Street:

1. Glasgow Avenue - northbound - from E. Washington Blvd. to E. Wayne St.
2. E. Wayne Street - westbound - from Glasgow Ave. to S. Anthony Blvd.
3. Grant Avenue - southbound - from E. Wayne St. to E. Washington Blvd.

C. No Parking:

1. Glasgow Avenue - both sides - from E. Washington Blvd. to E. Wayne St.
2. E. Wayne Street - both sides - from Glasgow Ave. to S. Anthony Blvd.

(over)

3. Grant Avenue - both sides - from E. Wayne St. to
E. Washington Blvd.

DELETE

1. Pettit Avenue - south side - from Anthony Blvd. to
Werling Dr.